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8 Attorneys for Applicant San Francisco Bay Regional Water Quality Control Board

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SUPERIOR COURT OF THE STATE OF CALIFORNIA  
COUNTY OF SOLANO

In The Matter of the Application of:

SAN FRANCISCO BAY REGIONAL  
WATER QUALITY CONTROL BOARD

For an Inspection Warrant of:  
Point Buckler Island, Suisun Bay

Case No. *MISC002135*

**INSPECTION WARRANT**

C.C.P Section 1822.51

(Filing Fees Exempt Per Gov't Code 6103)

THE PEOPLE OF THE STATE OF CALIFORNIA TO:

The San Francisco Bay Regional Water Quality Control Board and their authorized  
representatives:

PROOF, by declaration under penalty of perjury under the laws of the State of  
California, having been made this day before me by Benjamin Martin, Environmental Scientist  
and investigator for the San Francisco Bay Regional Water Quality Control Board, submitted  
to the Court on the 19<sup>th</sup> day of February, 2016;

THAT THERE IS REASON TO BELIEVE that there exists at the Point Buckler Island in  
the Suisun Bay, Solano County, California, violations of California Water Code section 13385,  
particularly subsections: (a)(1), failure to submit report of waste discharge; (a)(4), unauthorized  
discharge to waters of the United States in violation of the *San Francisco Bay Basin (Region*

INSPECTION WARRANT

1 2) *Water Quality Control Plan*<sup>1</sup> Prohibition 9, issued pursuant to California Water Code,  
2 Division 7, Article 3, Chapter 4, subsection 13243; and/or (a)(5), a requirement of the federal  
3 Clean Water Act section 301 and/or 401 (33 U.S.C. Sec. 1311, 1341) that here is  
4 authorization for an inspection pursuant to Water Code section 13267, subsection(c), with  
5 respect to the premises named above, as required by the California Code of Civil Procedure  
6 sections 1822.50 et seq. for the issuance of an Inspection Warrant. The property is  
7 associated with assessor parcel number (APN) 0090-020-010, and comprises a total of 51.5  
8 acres. The property is currently operated as a premier kite boarding destination for Silicon  
9 Valley executives with plans to open a duck hunting club. On the parcel, over half the island  
10 area is interior of a recently constructed levee, where a number of mobile storage containers  
11 have been positioned. Along the southeast corner, a large boat dock is installed for access to  
12 Point Buckler Island.

13 Based upon the declaration of the affiant, good cause exists to authorize an inspection  
14 without the presence of the owner or occupant of the location. Yes X No    Initials HAK

15 Based upon the declaration of the affiant, it has been shown that prior consent has  
16 been sought and permission has been denied. Inspection is authorized without 24 hour  
17 notice. Yes    No    Initials   

18 Pursuant to CCP § 1822.50, 24 hour notice to owner/occupant  
19 is required.

20 THEREFORE, San Francisco Bay Regional Water Quality Control Board authorized  
21 representatives including Ben Martin, Dyan Whyte, Bill Hurley, Brian Thompson, Agnes  
22 Farres, Dr. Peter Baye, Dr. Stuart Siegel, CLE Engineering, Inc., Special Agent Dan Tanner  
23 (National Marine Fisheries Service), Paul Jones (US Environmental Protection Agency), and  
24 the County of Solano Sheriff's Department members are hereby directed at some time  
25 between the hours of 8:00 a.m. and 6:00 p.m. for two consecutive days to enter upon said  
26 premises and make an inspection of any facility, pollution source or area related to compliance  
27 located therein, questioning of or conferring with persons present on the property privately to

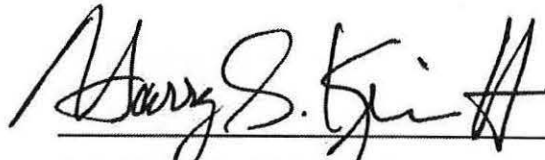
28 <sup>1</sup> Commonly referred to as the *Basin Plan*, the document and information can be found on the San Francisco Bay  
29 Regional Water Quality Control Board's website:

[http://www.waterboards.ca.gov/sanfranciscobay/basin\\_planning.shtml](http://www.waterboards.ca.gov/sanfranciscobay/basin_planning.shtml)

1 obtain information bearing on whether violations of the laws and regulations occurred,  
2 obtaining photographs, videos and copies of required documents or records required to be  
3 maintained in connection therewith by the San Francisco Bay Regional Water Quality Control  
4 Board. This inspection shall be reasonably conducted so as to affect as minimal an intrusion  
5 as possible on the normal operations of the property.

6 PROVIDED FURTHER that said entry and inspection are made within 14 days from the  
7 date of signing and issuance hereof. This warrant shall be executed and returned to this Court  
8 within 14 days of the issuance hereof, and shall be void unless executed within 14 days period  
9 of time, unless extended or renewed by this Court.

10  
11 ISSUED ON 2-24-16

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14 JUDGE OF THE SUPERIOR COURT

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17 This instrument is a  
18 correct copy of the original  
19 on file in this office

20 ATTEST:

21 FEB 25 2016



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